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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/726,346	12/01/2000	Richard G. Shechan	9518-001-99	1857
24510	7590	09/10/2007		
DLA PIPER US LLP ATTN: PATENT GROUP 1200 NINETEENTH STREET, NW WASHINGTON, DC 20036			EXAMINER KARMIS, STEFANOS	
			ART UNIT 3691	PAPER NUMBER
			MAIL DATE 09/10/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

*Supplemental*  
**Notice of Allowability**

Application No.

09/726,346

Examiner

Stefano Karmis

Applicant(s)

SHEEHAN ET AL.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 21 December 2006.
2. ☒ The allowed claim(s) is/are 1-4, 8, 10-17, 19-23, 25, 27, 29, 31-38 and 41-44.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 8/28/07.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **SUPPLEMENTAL EXAMINER'S AMENDMENT**

1. This communication is in response a query on 25 April 2007. The Notice of Allowance mailed, 12 April 2007, failed to include dependent claims 41-44. Dependent claims 41-44 are allowed based on their dependency. Claim 42 is amended in this Examiner's Amendment.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James Heintz (Registration No. 41,828) on 28 August 2007.

The application has been amended as follows:

Cancel claims **28** and **30**

Amend Claim **42** to state "The system of claim 20, wherein  $k$  is 1.96."

### ***Allowable Subject Matter***

3. The following is an examiner's statement of reasons for allowance:

The prior art publication, *Comprehensive Asset/Liability Management: More Than Just a Model* (hereinafter McGuire) teaches a method for obtaining better information on core deposits (page 5, paragraph 4). McGuire teaches a method for assessing core-deposit behavior using

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empirically established mathematical relationships to explain the simultaneous behavior of total balances, rates paid, and retained balances (page 5, last paragraph). Explanatory variables in this approach are lagged balances and rate values, market rate inputs, trend and seasonal factors, and independent economic influences such as unemployment. The estimated relationships are used to define forecast equations that predict average life and rate-balance sensitivity, in addition to other facets of core deposit behavior (page 5, last paragraph).

The prior art, Madden, U.S. Patent 6,363,360 teaches a system and method for analyzing and originating a contractual option arrangement for transacting a deposit liabilities base of a financial institution at predetermined prices and time periods (Abstract). Madden further teaches obtaining an option to sell the deposit liabilities base to a third party at a predetermined price, comprising the steps of: analyzing external market data, and internal data pertaining to the financial institution, and inputting the external market data and the internal data to the computer system; calculating an estimated market value or a range of such values for the deposit liabilities base; generating a minimum potential bid price or a range of such prices for the deposit liabilities base; and incorporating the generated bid price or the range of such prices into the deposit liability option contract, wherein the contractual documents specify the price or range of prices which the third party will pay during a predetermined term for the deposit liabilities; whereby the value of the deposit liabilities base may be quantified without the requirement of divesting, the deposit liabilities base from the financial institution (column 8, lines 9-32). Madden teaches assumptions, including the estimated useful life of deposit base (column 7, line 50 thru column 8, line 8).

The prior art of record fails to teach a method for determining a useful life of balance sheet items, comprising the steps of:

(A) receiving data for each of a plurality of balance sheet items, the data including a sample of account balances, a size of the sample being  $n = 4k^2s^2/d^2$  wherein  $s$  is an estimated yearly retention rate,  $d$  is in the range of 0.01 to 0.03 and  $k$  corresponds to a level of significance;

(B) performing, in a computerized system, a dynamic calculation of a first retention rate for each of a plurality of balance sheet items using the data received in step (A);

(C) performing, in the computerized system, a steady-state calculation of a second retention rate for the plurality of balance sheet items using the data received in step (A);

(D) combining said first and second retention rate to determine a predicted useful life of the combined plurality of balance sheet items.

These elements in combination with all of the other elements of the claims are not taught or fairly suggested in the prior art of record. For this reason claim 1 is deemed allowable over the prior art. Independent claims 19, 20 and 38 are substantially similar to claim 1 and are therefore allowed for similar reasons to that of claim 1. Claims 2-4, 8, 10-17, 21-23, 25, 27, 29, 31-37 and 41-44 are allowed for their dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefano Karmis whose telephone number is (571) 272-6744. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alex Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Respectfully Submitted  
Stefano Karmis  
28 August 2007

A handwritten signature in black ink, appearing to be 'Stefano Karmis', written over a horizontal line.